

RESOLUTION 05-09-09

CITY OF LANETT, ALABAMA POLICY STATEMENT
SMOKE-FREE/TOBACCO-FREE WORKPLACE

EFFECTIVE DATE: December 1, 2009

DATE ADOPTED: May 18 2009

A. PURPOSE.

The United States Surgeon General's Office and numerous other health care agencies have determined that smoking and exposure to second hand smoke and the use of smokeless tobacco products pose serious health risks and that a significant amount of secondhand smoke exposure occurs in the workplace. It has been estimated that the health care costs attributable to smoking, tobacco use, and exposure to second hand smoke costs the U.S. economy billions of dollars each year.

The Mayor and Council of the City of Lanett, Alabama (the "City") care about the health of the employees of the City and the costs borne by the City, which are related to the effects of smoking, tobacco use, and exposure to second hand smoke. In recognition of the dangers posed by smoking, tobacco use, and exposure to second hand smoke in the workplace and of the benefits to be derived from making the City a healthier place to work, the Mayor and Council deem it to be in the best interests of the City that the City of Lanett becomes a smoke-free/tobacco-free workplace.

Accordingly, the Mayor and Council of the City find and declare that the purposes of this policy are (1) to protect the public health and welfare by prohibiting smoking and the use of smokeless tobacco products by City employees while at work and at places of employment; and (2) to help assure that nonsmoker employees can breathe smoke-free air, and to recognize that the need to breathe smoke-free air shall have priority over the desire to smoke.

B. DEFINITIONS

"City" means the City of Lanett, Alabama.

"Employee" means a person who is employed by the City, whether full time or part time, in consideration for direct or indirect monetary wages or profit.

"Place of Employment" means an area under the control of the City that employees normally frequent during the course of employment, including, but not limited to, work areas, private offices, employee lounges, restrooms, conference rooms, meeting rooms, classrooms, employee cafeterias, hallways, and vehicles.

"Smoking," means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe in any manner or in any form.

"Smokeless Tobacco Products" means any and all forms of chewing tobacco, whether plug, loose-leaf, or twist; any and all forms of snuff, whether long-cut, short-cut, dry or moist; and any other tobacco product the personal use of which does not require heating, lighting, or combustion.

"Working Hours" means any time dedicated to employment, whether regularly scheduled working hours, overtime, call-in time, or any other period when an Employee is on the job, either at or on a City owned facility or at any other place, and is performing the duties of his or her employment with the City. Working Hours shall not include break time and lunch hours.

"Workplace" means all property or facilities owned by the City in or about which Employees are at any time present, including, without limitation, indoor and outdoor facilities, conference and meeting rooms, cafeterias, lunchrooms, and employee break rooms or lounges. Unless otherwise stated, "Workplace" shall mean all property or facilities owned, operated, or leased by the City, including City vehicles.

C. SMOKING AND USE OF SMOKELESS TOBACCO PRODUCTS WHILE AT WORK OR DURING WORKING HOURS PROHIBITED

It is hereby declared the policy of the City that smoking and use of smokeless tobacco products by City employees is hereby prohibited while City employees are at their Place of Employment with the City, at any Workplace, or during Working Hours. All areas of the Workplace are now smoke-free/tobacco-free, without exception.

D. SMOKING/USE OF TOBACCO-FREE PRODUCTS DURING BREAKS AND LUNCH PERIODS PERMITTED

Notwithstanding anything herein to the contrary, Employees may smoke and/or use smokeless tobacco products during break and lunch periods while off the property of the City. There shall be no smoking or use of smokeless tobacco products at any time while an employee is on the property of the City or at any City facility regardless of whether the employee is on break or on a lunch period.

D. COMPLIANCE.

Compliance with the smoke-free/tobacco-free workplace policy is mandatory for all employees. Employees who violate this policy are subject to disciplinary action. Any dispute involving this policy shall be handled through the City's established procedures or resolving other personnel/employment issues.

E. COMMUNICATION OF POLICY TO PRESENT AND FUTURE EMPLOYEES

This prohibition on smoking and the use of smokeless tobacco products shall be communicated to all present Employees by the effective date of this Policy and to all prospective employees upon their application for employment.

F. PROVISION OF SMOKING CESSATION LITERATURE

The City encourages all Employees to quit smoking. The City shall provide, upon the request of any Employee, smoking cessation literature and information on quitting smoking.

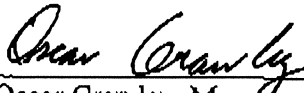
G. EFFECTIVE DATE.

The effective date of this policy is December 1, 2009, in order to give Employees who smoke and/or use smokeless tobacco products time to adapt to the policy restrictions and to facilitate a smooth transition to a smoke-free/tobacco-free environment.

H. DISCIPLINE

Employees found to be in violation of this Policy shall be deemed to have committed a Group One Offense under the City's personnel policy.

Adopted this 18TH day of May 2009.


Oscar Crawley, Mayor

ATTEST:


Deborah Daniel, City Clerk